

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Richard Hurchanik, :  
:  
Plaintiff(s), :  
: Case Number: 1:09cv864  
vs. :  
: Chief Judge Susan J. Dlott  
Secretary of the Army, et. al., :  
:  
Defendant(s). :  
:

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge J. Gregory Wehrman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on July 20, 2010 a Report and Recommendation (Doc. 20). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 21) and defendants filed a response to the objections (Doc. 23).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, defendants' motion to dismiss (Doc. 3) is **GRANTED**. This case is **DISMISSED** without prejudice and all pending motions (Docs. 5, 6, 7, 8, 15 and 16) are **DENIED** and this case is **CLOSED**.

**IT IS SO ORDERED.**

s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court